

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

v.

**MEMORANDUM AND ORDER**

Criminal No. 22-cr-00155(1) (MJD/ECW)

Laquell Montreal Kilgore-Hodges,

Defendant.

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Benjamin Bejar, Assistant United States Attorney, Attorney for Plaintiff.

Laquell Montreal Kilgore-Hodges, Pro Se.

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**I. INTRODUCTION**

The matter before the Court is Defendant's pro se letter request for relief regarding the BOP's computation of his custody credit. (Doc. 125.) Defendant is in custody in the Federal Correctional Institution in Beaver, West Virginia.

**II. DISCUSSION**

The Bureau of Prisons is responsible for computing the sentence credit after the defendant has begun serving his sentence. Prisoners are entitled to administrative review of the computation of their credits, and after properly exhausting these administrative remedies, an inmate may seek judicial review through filing a habeas corpus petition under 28 U.S.C. § 2241.

United States v. Tindall, 455 F.3d 885, 888 (8th Cir. 2006) (internal citations

omitted). However, such a § 2241 habeas petition must be filed in the district in

which Defendant is confined; the United States District Court for the District of

Columbia; or in any district in which the BOP maintains a regional office, which does not include the District of Minnesota. See United States v. Chappel, 208 F.3d 1069, 1069 (8th Cir. 2000).

A habeas petition filed in the wrong district may be dismissed without prejudice or, “if it be in the interest of justice,” transferred to the appropriate district. See 28 U.S.C. § 1406(a). However, Defendant does not claim to have exhausted his administrative remedies. See Tindall, 455 F.3d at 888.

Defendant’s current release date is June 3, 2028. Thus, there is time for him to exhaust administrative remedies and, if unable to resolve his dispute with the BOP, file a § 2241 petition in the Southern District of West Virginia.

### **III. ORDER**

Based upon all files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant Laquell Montreal Kilgore-Hodges’s Pro Se Letter Request for Relief [**Doc. 125**] is **DENIED WITHOUT PREJUDICE**.

Dated: February 26, 2024

s/Michael J. Davis

Michael J. Davis

United States District Court